

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

NELDA LAWRENCE

CIVIL ACTION NO.: 1:21-CV-3340

VERSUS

JUDGE:

WAL-MART LOUISIANA, LLC

MAGISTRATE:

COMPLAINT

NOW INTO COURT, through undersigned counsel, comes Plaintiff, Nelda Lawrence, a person of the full age of majority and domiciled in the Parish of East Baton Rouge, State of Louisiana, who respectfully presents her claim for damages as follows:

1.

This court has jurisdiction in this matter pursuant to 28 U.S.C. 1332, because there is a diversity of citizenship and the amount in controversy exceeds \$75,000.0. Plaintiff is a resident of the State of Louisiana, and the Defendant is a citizen of and/or incorporated in and/or have their principal place of business in a state other than the State of Louisiana.

2.

Venue is appropriate in the United States District Court for the Western District of Louisiana, pursuant to 28 U.S.C. 1391(b), because the events giving rise to this action occurred in this judicial district and Defendant resides outside the State of Louisiana.

3.

Made defendant herein is:

A. **WAL-MART LOUISIANA, LLC**, a corporation authorized to do and doing business in the State of Louisiana;

4.

Defendant, Wal-Mart Louisiana, LLC, is liable unto Plaintiff, Nelda Lawrence, in a reasonable compensatory sum, plus legal interest, and all costs of these proceedings for the following reasons to wit:

5.

On or about September 17, 2020, Plaintiff, Nelda Lawrence, was a customer at the Wal-Mart store number 1106, located at 4283 Carter St., Vidalia, LA, when she slipped and fell in an accumulation water on the restroom floor in the handicapped stall causing her to suffer the injuries and damages complained of herein.

6.

The sole and proximate cause of the above-described accident was Defendant's carelessness, negligence, and wanton disregard for the safety of its patrons as is more particularly, but not exclusively described as follows:

- a) failing to properly clean and maintain the store premises, specifically the restroom floors;
- b) failing to provide a safe premises free from hazards and dangerous conditions;
- c) failing to properly inspect the premises and timely identify hazards and dangerous conditions;

- d) failing to properly notify and warn store patrons of hazards and dangerous conditions on the premises;
- e) failing to properly train employees in the maintenance and care of the store premises, specifically the restroom floors;
- f) allowing a dangerous condition to exist on the premises, specifically the restroom floors, for an extended period of time thereby placing store patrons' safety in jeopardy.
- g) failing in other particulars, which will be proven at trial of this matter.

7.

As a direct result of the fall, Plaintiff, Nelda Lawrence, suffered damages in the following non-exclusive particulars:

- a) Painful and disabling personal injuries;
- b) Past and future medical expenses;
- c) Past and future physical pain and suffering;
- d) Past and future mental anguish, pain and suffering;
- e) Loss of enjoyment of life;
- f) Lost wages; and,
- g) Other losses to which Plaintiff is entitled and are reasonable in the premises.

8.

As a direct result of personal injuries sustained by Plaintiff as a consequence of the accident made the subject of this proceeding, she has incurred and will continue to incur

medical expenses which she is entitled to recover, including, but not limited to, diagnostic and treatment expenses, prescription medication charges, rehabilitation and/or physical therapy charges, related travel expenses and/or any other related and necessary expenses.

WHEREFORE, Plaintiff, Nelda Lawrence, prays that this Complaint be deemed good and sufficient, and that following the expiration of all legal delays and after due proceedings had, there be judgment herein in favor of Plaintiff, Nelda Lawrence, and against Defendant, Wal-Mart Louisiana, LLC, for general and special damages in a principal amount that is reasonable in the premises, together with legal interest on the principal amount awarded from the date of judicial demand until paid and all costs of this proceeding, expert witness fees; and for such other relief as the law and equity may provide.

Respectfully submitted:

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